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CORRESPONDENCE  
ADDRESS**

Application Number	09-852,229
Filing Date	May 8, 2001
First Named Inventor	Michael CRISTOFALO et al
Title	Technique for Optimizing the Delivery of Advertisements and Other Programming Segments by Making Bandwidth Tradeoffs
Group Art Unit	2623
Examiner Name	Hai V. Tran
Attorney Docket Number	043978-073000

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application and appoint:

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I am the:

☐ Applicant/Inventor

☒ Assignee of record of the entire interest. A statement under 37 CFR 3.73(b) is attached.

**SIGNATURE of Applicant or Assignee of Record**

Name Mark Bearault, General Counsel

Signature

Date September 24, 2007

NOTE: Signatures of all the inventors or assignees of record of the entire interest of their representatives are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of \_\_\_\_\_ forms are submitted.

## STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Michael CRISTOFALO, et al.Application No./Patent No. 09/852,229Filed/Issue Date: May 8, 2001Entitled: Technique for Optimizing the Delivery of Advertisements and Other Programming Segments by Making Bandwidth Tradeoffs

ACTV, INC.

(Name of Assignee)

a corporation

(Type of Assignee: e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest, or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

- From: Michael G. CRISTOFALO To: ACTV, INC.  
The document was recorded in the United States Patent and Trademark Office at Reel 013013, Frame 0918, or for which a copy thereof is attached.
- From: Patrick M. SHEEHAN To: ACTV, INC.  
The document was recorded in the United States Patent and Trademark Office at Reel 013013, Frame 0918, or for which a copy thereof is attached.
- From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
- From: \_\_\_\_\_ To: \_\_\_\_\_  
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☐ Additional documents in the chain of title are listed on a supplemental sheet.

- [ X ] As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE] A separate copy (i.e., a true copy of the original assignment document(s) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

September 24, 2007

Date

Mark Deariaugh

Typed or printed name

Signature

General Counsel

Title

Burden Their Statement: This form is estimated to take 3-2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FILLS OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231